Upon recording mail to: State Engineer's Office 901 S. Stewart Street, Suite 2002 Carson City, NV 89701

DOC # 763589
Official Records Nye County Nevada
Deborah Beatty - Recorder
04/15/2011 02:53:07 PM
Requested By: NYE CO PLANNING
Recorded By: vw
Recording Fee: \$0.00
Non Conformity Fee: \$0.00
Page 1 of 8



69763ROI

Regarding Permit No. 69763 Certificate Number

OFFICE OF THE NEVADA STATE ENGINEER

This space reserved for county recorder's use only

AFFIDAVIT TO RELINQUISH WATER RIGHTS IN FAVOR OF USE OF WATER FOR DOMESTIC WELLS
State of Nevada )
: ss
County of Nye )
, Kelly Harris, as agent for Nye County
do hereby swear under penalty of perjury that the assertions of this affidavit are true.
I. I am the owner of record
✓ agent for the owner of record who is Nye County
of $\checkmark$ all $\Box$ a portion of 69763 as indicated in the records of the
check one permit/certificate no. or decreed right  Nevada State Engineer.
2. I hereby relinquish an amount of water equivalent to:
3.36 acre-feet
enter a total amount of water equal to the sum of 2.0 afa for each proposed new domestic well acre-feet annually from the above water right.
The water right or portion of water right relinquished was appurtenant to the land more particularly described as follows:
the Pahrump Regional Planning District as shown on DWR Map #68791 filed August 9, 2002

describe the place of use by quarter sections, section, township, range M.D.B. &M. and assessor's parcel numbers

THE PROCESSING CHARGE OF \$250 MUST ACCOMPANY THIS AFFIDAVIT

Revised 06/07/10

Permit/Cert No.

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3. This relinquishment of water rights is for the purpose of offsetting the water withdrawn from domestic wells to homes, or for the dedication of water to newly created lots located at the place described below and reflected on the attached map: (Describe place where water will be used with quarter sections, section, township, range, M.D.B. &M. and assessor's parcel numbers)

## See attached Exhibit A

- 4. I have attached a reduced, scaled, 8 1/2 X 11" copy of the tentative parcel map. The original tentative parcel map must be prepared to the standards of NRS 278.466.
- 5. I understand that this relinquishment must be approved by the Nevada State Engineer in order for it to become effective.
- 6. I am aware that, under NRS 534.350, a county may dedicate and relinquish sufficient water rights to offset water withdrawals from domestic wells of new homes. Water rights so relinquished revert to the source of the water. Should these homes later be added to a public water system, the public water system is entitled to receive a credit in the same manner as the addition of any other customer to the public water system pursuant to NRS 534.350.
- 7. I understand this relinquishment shall become effective upon the date of approval by the State Engineer. The affiant may petition the State Engineer to void this relinquishment if the final subdivision or parcel map is not recorded within 18 months after this approval. If a petition to void this relinquishment is <u>not</u> submitted to the State Engineer within the 18 month period, the water remains permanently reverted to the source.
- 8. I understand once these water rights are relinquished by recordation of a final subdivision map in the office of the county recorder of the county wherein the domestic wells are to be located, as provided in NRS 278.380 (2001), or in the case of a final parcel map as provided in NRS 278.4725 (2003), the process cannot be reversed nor can I claim said right as a water right.

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- 9. Within 30 days of approval of this relinquishment by the State Engineer, I shall record this Affidavit in the office of the county recorder of the county in which the final subdivision or parcel map is recorded. I shall also record this Affidavit in the office of the county recorder of the county in which the previous place of use was located, if it is not the same county.
- 10. I shall provide the State Engineer's Office with a copy of this recorded Affidavit within thirty (30) days of its recording with the county recorder.

DATED: This 25th day of March, 20 11.

Affiant's Signature

P.O. Box 1531

Street Address

Kelly Harris

Tonopah, NV 89049

Affiant's printed name

City, State, ZIP

(775)482-8181

Telephone Number

Subscribed and sworn to before me

this 25 day of March

JOLYNE ZIMMERMAN **NOTARY PUBLIC** 

Notary Stamp

APPROVED: This 5++ day of Apr., 20 1.

3

Revised 06/07/10

## EXHIBIT A

Original AP #35-542-05 now known as:

AP #35-542-09 Parcel 1 of file map #591682 located within the NW¼ SW¼ of Section 33, T20S, R53E, MDB&M recorded on 6/2/04 inherited the domestic well entitlement;

AP #35-542-10 Parcel 2 of file map #587628 located within the NW¼ SW¼ of Section 33, T20S, R53E, MDB&M recorded on 4/22/04 required 1.12 acre-feet of water right dedication;

AP #35-542-11 Parcel 3 of file map #587628 located within the NW¼ SW¼ of Section 33, T20S, R53E, MDB&M recorded on 4/22/04 required 1.12 acre-feet of water right dedication; and

AP #35-542-12 Parcel 4 of file map #587628 located within the NW1/4 SW1/4 of Section 33, T20S, R53E, MDB&M recorded on 4/22/04 required 1.12 acre-feet of water right dedication

RON WILLAIMS - PLANNING DIRECTOR THIS MAP IS HERBBY APPROVED BY THE PAHRUMP REGIONAL PLANNING COMMISSION'S DETAIL PROPERTY OF THE COUNTY, NEWWOOD.

THIS JOHN DAY OF CERRIGHEN LOCALL., AND FOFFER OF DEDICATION OF STREET'S SHOWN IS/ARE ACCEPTED AT THIS TIME. AGENCY APPROVALS: PAHRUME REGIONAL PLANNING COMMISSION CERTIFICATE: LINDA STREET EXTENTION - "NO" ROW CAP BROKEN FOR VALLEY ELECTRIC SEVAL Augusto Poliuso 1333.07 CURVE TABLE
CURVE TENOTH RADIUS Date
OF SOUTH 26,000 6979(26) **©•№}**\$₩ \$89'58'39"E 1335.45" 979.10" VICINITY MAP: GRAPHIC SCALE LEGEND: GAMEBIRD ROAD holalso DATE 1/2/04 DATE NB9'59'28'E 2666.14 EMBER STREET - 24' GRAVEL ROAD (BASIS OF BEARING) BANK OF NEW YORK TRUSTEE APPRICAGE BAST OF PATRICIA FOSSER - NYE COUNTY TREASURER HIRS PROPERTY IS LOCATED IN FLOOD ZOME ACI AS SHOWN ON MAY SLOOM, COMMUNITY PANEL \$4450, DATED SEPTIMENET ZR. 1906, ANY CONSTRUCTION ON DIMPROCABLENT WITHIN A SECON, FLOOD HAZARD AREA MUST BE BY ACCORDANCE WITH NIE COUNTY CODE TITLE 16,12 THE FLOOD DAMAGE PRECENTION ORDINANCE. FLOOD ZONE STATEMENT: TAXES ON ALL REAL PROPERTY FOR THE CURRENT FISCAL TAX CERTIFICATE: "E BASS OF BEANG FOR THE SUPPLY IN THE SUITH UNE OF THE SOUTH HALF OF SECTION
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INTO RECONDER, SAID LINE BEARS NORTH 88'95'22" EAST. APN: 35-542-05 MONTHERLY RIGHT-OF-WAY LINE VENT COLEMN 356.37' SINEET HOW'S AN EXPERIENCE PARCEL 4
GROSS ARCA
MANACA SOUTH
128 ACTA
MET AREA
118 ACTA
118 AC 59 ZI E 326.14-A0-6-9 SIMMONS STREET - 24' GRAVEL ROAD 25' RADIUS AREA OFFERED FOR DEDICATION MESTOATE RECO FD +/2" REBAR CAP HISSING (REMAINS FOUND) APN:35-BAI-03 CARMEDIO LA DELFA NO CAP ZENITH STREET SUBSEQUENT CHANGES TO THIS DOCUMENT SHOULD BE EXAMINED BY THE NYE COUNTY RECORDER. LICENSE # 2898 COUNTY OF THE CONTROL COUNTY SURVEYOR'S CERTIFICATE:

1. Remain of semisoring surveyor, and county, remain or hereby certify
that on the 12st only of the semisoring surveyor and surveyor was as shown hereby and found that it is technically correctly. NOTARY PUBLICATION COUNTY OF DAY OF THE PERSONALLY APPEARED BEFORE ME, THAT PETER PROVENZA AS FOR THE CO-TRUSTEE PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC NI AND FOR THE ABOVE ANSTHUMENT, AND ACKNOWLEDGED TO ME THAT HE / SHE EXECUTED THE ABOVE ANSTHUMENT. WE, REIRS AND EURENCE PROVINCES, CO-TRIVERS OF THE RETIRE PROVINCES CONSTRUCTION OF THE RETIRE PROVINCES CONSTRUCTION OF THE RETURN PROVINCES TO STREET AND AND AND EXCHANGE PROVINCES TO STREET AND AND AND EXCHANGE PROVINCES TO STREET AND AND AND ADDRESS OF A STREET AND AND ADDRESS OF THE AD SURVEYORS CERTIFICATE:

1. STERN WIL FHILLIPS, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF READS, DO HERSEY CREATE THE TAIL TO CA SURVEY CONDUCTED UNDER MY BRECT SUPPRISON OF THE RESULTS OF A SURVEY CONDUCTED UNDER MY BRECT SUPPRISON OF THE RESULTS OF A SURVEY CONDUCTED UNDER MY BRECT SUPPRISON OF PARKURS, STATE OF READS, AND THE SURVEY WAS COMPLETED ON AUT TO A CONDUCTED WITH A PROPUNCIES FRATE STATUTES AND AND THE SURVEY WAS COMPLETED ON AUT TO A PROPUNCIES WITH A PROPUNCIES FRATE STATUTES AND AND THE PROPUNCIES WITH A PROPUNCIES AND THE PROPUNCIES AND THE PROPUNCIES WITH A PROPUNCIES AND THE PROPUNCIES A NOTARY PUBLIC ACKNOWLEDGMENTS: MY COMMISSION EXPIRES: 12-24-06 RECORDER'S STATEMENT: ACKNOWLEDGMENTS JEFFERY WM. PHILLIPS
PROFESSIONAL CAND SURVEYOR
NEVADA CERTIFICATE NO. 11831 JEFFERY WM. PHILLIPS, PLS #11831 OWNER'S CERTIFICATE A SUBDIMISCH OF LOT 12 AS SHOWN ON THE MAP OF PALO YESSE EMMONS SUBSTITION, MAP NO. ASSIN, OFFICIAL RECORDS AND NO. COMMY, NEWARD.

APRIL 35-542-05 SECTION 33, TOWNSEP 20 SOUTH, RAVICE ST PAST, MADA. PETER and FLORENCE PROVENZA C. 1.0" 7 mm 1038 ASPEN BREEZE AVE. LAS VEGAS, NEVADA 89123 PARCEL MAP 101-0474 /1EE S.14-04 12.24.0L DATE +0.57.94 7122-837-2485 OFFICE 702-353-4517 MOBILE ME Official Records Nya County Nembos Requestad By Florinco Provinces 08/0744 2/45 PM Commu. L. Motte, Recorder Fee: \$21,00 State: \$ Dept on Not-Conformy Fee 5 SHEET I OF 5.14-04 591692 콖볾

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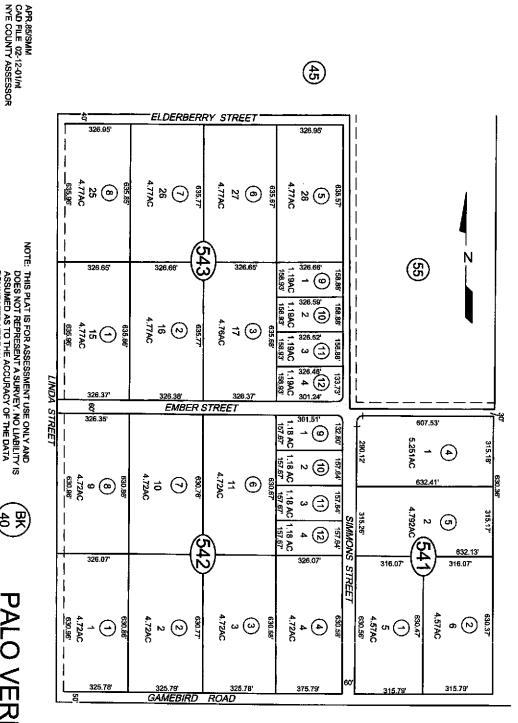
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Map Document #s	PAHRUMP, NV 744692 4/28/2010 Yr,B	c, Pg 00 000 000 Corr Rq'd
Description		(F11=Additional Locations)
Property Location	# Dir Street or Other De	escription Unit #(s)
Subdivision	# Dir Street or Other De 3760 S SIMMONS ST PALO VERDE RANCHOS	Block Lot
Town	PAHRUMP F#591682 P.1 1.18AC	Parcel Map ID
	E#331002 P.1 1.1BAC	Confidential
Parcel # Containing	D. C.	Land Use: 100
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Legal Owner	42-10 Prior Parc # /10 By RRIVERO Created by sp [F6=All_Owners F7=Documents PROVENZA, ELIZABETH ANN PROVENZA, ELIZABETH ANN	FB=Correspondence History)
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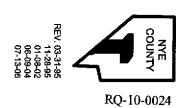
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T.20S., R.53E. POR. OF SECTION 33

35-54



**45** 



PALO VERDE RANCHOS

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NOTE: THIS PLAT IS FOR ASSESSMENT USE ONLY AND DOES NOT REPRESENT A SURVEY, NO LIABILITY IS ASSUMED AS TO THE ACCURACY OF THE DATA DELINEATED HEREON.

(<del>g</del> 4)

LEO DROZDOFF Director

JASON KING, P.E. State Engineer



## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES DIVISION OF WATER RESOURCES

901 South Stewart Street, Suite 2002 Carson City, Nevada 89701-5250 (775) 684-2800 • Fax (775) 684-2811 http://water.nv.gov April 13, 2011

## Permit 69763R01

Nye County Planning Department Attn: Ms. Kelly Harris P.O. Box 1531 Tonopah, NV 89049-1531



Re: RQ-10-0024 - Affidavit of Relinquishment of water rights from Permit 69763

in favor of domestic well(s).

Dear Ms. Harris:

Enclosed are the original Affidavit of Relinquishment & documents, Nye County # RQ-10-0024, recently signed and approved by Deputy State Engineer Tracy Taylor for the relinquishment of 3.36 AFA, in the name of Nye County, of water from Permit 69763.

RQ-10-0024: 3.36 acre-feet are being relinquished to create three (3) new domestic well parcels from the parent parcel APN 35-542-05 in Pahrump, Nye County, Nevada. The new domestic well parcels are identified by the Nye County Assessor as APN 35-542-10, 35-542-11 and 35-542-12. The Date of Priority for the new domestic well(s) will be the same Date of Priority as Permit 69763; June 3, 1957. The original domestic well entitlement will be inherited by APN 35-542-09.

To properly complete the relinquishment process, this office must receive a recorded copy of this Affidavit of Relinquishment & documents within 30 days from the date of this letter. Nye County is to retain the original Affidavit of Relinquishment & documents. The 3.36 acre-feet of water under Permit 69763 owned by Nye County will be relinquished when a recorded copy of the enclosed Affidavit of Relinquishment & documents is returned to this office. If you have any questions, please call me at (775) 684-2800.

Sincerely

Hamilton Reed, PG, PE

Staff Engineer

WHR/ml Enclosures